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May 22, 2017

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: AIR VOICE WIRELESS, LLC
Lifeline Biennial Audit Report
Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42

Dear Ms. Dortch:

In connection with the above-referenced proceeding, pursuant to 47 C.F.R. § 54.420, and in accordance with the Public Notices of April 2, 2014 and September 19, 2014,¹ AIR VOICE WIRELESS, LLC ("Air Voice Wireless") encloses its final Lifeline Program Biennial Audit Report ("Report") to the Federal Communications Commission ("FCC"), covering the audit period of January 1, 2015 through December 31, 2015.

Specifically, this Report was conducted by a licensed, certified public accounting firm independent of Air Voice Wireless to evaluate Air Voice Wireless' compliance with applicable regulations and orders governing the Low-Income Support Mechanism ("Lifeline Program") of the Universal Service Fund as set forth in 47 C.F.R. Part 54, as well as other program requirements, including any state-mandated Lifeline Program requirements (collectively, the "Rules").

A copy of Air Voice Wireless' Report is also being submitted today under separate cover to USAC and relevant state commissions. If you have any questions, or if I may provide you with additional information, please do not hesitate to contact me. Thank you for your assistance.

Respectfully submitted,



Burton F. Peebles, Esq.
Associate Attorney
Lance J.M. Steinhart, P.C.
Attorneys for AIR VOICE WIRELESS, LLC

Attachments

cc: Jim Bahri

¹ *Wireline Competition Bureau Announces Release of Final Lifeline Biennial Audit Plan*, WC Docket No. 11-42, Public Notice, 29 FCC Rcd (Apr. 2, 2014); *Erratum*, Public Notice, 29 FCC Rcd 11297 (Sept. 19, 2014). The requirement to file a Lifeline Biennial Audit Plan was adopted by the FCC in the *Lifeline Reform Order*, 27 FCC Rcd 6656, released on February 6, 2012.

AIRVOICE WIRELESS, LLC

Lifeline Assistance Program

January 1, 2015 to December 31, 2015

Independent Accountants' Report
on Applying Agreed-Upon Procedures



CLARK SCHAEFER HACKETT
CPAS & ADVISORS



INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES

Airvoice Wireless, LLC ("Carrier"), the Universal Service Administrative Company ("USAC") and the Federal Communications Commission ("FCC")

We have performed the procedures enumerated in the Lifeline Biennial Audit Plan, which were agreed to by the FCC's Wireline Competition Bureau ("Bureau") and Office of Managing Director ("OMD") in the Lifeline Biennial Audit Plan or as otherwise directed by the Bureau, (the specified parties), solely to assist you in evaluating the Carrier's compliance with certain regulations and orders governing the Low Income Support Mechanism (also known as the Lifeline Program) of the Universal Service Fund, set forth in 47 C.F.R. Part 54, as well as other program requirements, including any state-mandated Lifeline requirements (collectively, the "Rules") detailed in the Lifeline Biennial Audit Plan for the calendar year ended December 31, 2015. The Carrier's management is responsible for compliance with the Rules. This agreed-upon procedures engagement was conducted in accordance with U.S. generally accepted government auditing standards as established by the Government Accountability Office, which incorporate attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility the Bureau and OMD. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Specific procedures and related results are presented below. In compliance with the Lifeline Biennial Audit Plan, this report does not contain any personally identifiable information or individually identifiable customer proprietary network information.

Our procedures and findings are as follows:

Objective I: Carrier Obligation to Offer Lifeline:

Procedure 1

Clark Schaefer Hackett ("CSH") inquired of the Carrier management and obtained the Carrier policies and procedures for offering Lifeline service to qualifying low-income consumers as provided by the Carrier in response to Item 4 of Appendix A (Requested Documentation) of the Lifeline Biennial Audit Plan for offering Lifeline service to qualifying low-income consumers. CSH read and compared the Carrier policies and procedures, including any management responses, with the FCC's Lifeline rules set forth in Appendix F of the Lifeline Biennial Audit Plan.

Results: No exceptions noted.

Procedure 2

CSH inspected 10 examples of Carrier marketing materials describing the Lifeline service (i.e. print, audio, video and web materials used to describe or enroll in the Lifeline service offering, including standard scripts used when enrolling new subscribers, and application and certification forms), as provided in response to Items 4, 6 and 7 of Appendix A of the Lifeline Biennial Audit Plan to determine if they included the following:

- a. The service is a Lifeline service, which is a government assistance program;
- b. The service is non-transferable;
- c. Only eligible subscribers may enroll;
- d. Only one Lifeline discount is allowed per household; and
- e. Carrier's name or other brand names used to market the service.

Results: No exceptions noted.

Procedure 3

CSH read the Carrier's responses to the background questionnaire regarding the Carrier's policies for (1) how subscribers notify the Carrier of the subscriber's intent to cancel service or give notification that s/he is no longer eligible to receive Lifeline service and (2) when de-enrollment for such notifications occurs. Read these policies to determine they are designed to (1) allow subscribers to make the notifications required by 47 C.F.R. §§54.410(d)(3)(ii) and (iv) and (2) prevent the Carrier from claiming ineligible subscribers on the FCC Form 497 or who wish to cancel service.

CSH called the customer care numbers provided in response to Item 8 of Appendix A of the Lifeline Biennial Audit Plan, as well as any customer care numbers identified in the marketing materials provided in response to Item 6 of Appendix A of the Lifeline Biennial Audit Plan, or on the websites provided in response to Item 7 of Appendix A of the Lifeline Biennial Audit Plan. CSH documented in the report whether (1) each telephone number is operational and (2) if it involves the use of an interactive voice response (IVR) system, that it is possible for an individual to reach a live customer care operator.

Results: CSH called the customer service number (1-877-247-7799) and found it was operational and CSH was able to reach a live customer care operator.

Procedure 4

CSH read applicable policies and procedures regarding de-enrollment from the program, including when the Carrier will de-enroll subscribers based on lack of eligibility, duplicative support, non-usage and failure to recertify, as further described below.

CSH read the Carrier's policy and procedures for de-enrollment where the Carrier has information indicating that a Lifeline subscriber no longer meets the criteria to be considered a qualifying low-income consumer under 47 C.F.R. §54.409, as provided in response to Item 4 of Appendix A of the Lifeline Biennial Audit Plan, as well as de-enrollment letters provided in response to Item 11 of Appendix A of the Lifeline Biennial Audit Plan. CSH noted whether the policy and procedures detail the process for communications between the subscriber and the Carrier regarding de-enrollment, including but not limited to:

- a. Notifying subscribers of impending termination of service;
- b. Allowing subscriber to demonstrate continued eligibility; and
- c. Termination of service within 30 days for failure to demonstrate eligibility.

CSH read the Carrier's policy and procedures for de-enrolling subscribers that are receiving Lifeline service from another eligible telecommunications carrier or where more than one member of a subscriber's household is receiving Lifeline service (duplicative support). CSH noted if the policy and procedures state that the Carrier will de-enroll subscribers within five business days of receiving notification from USAC program management that a subscriber or a subscriber's household is receiving duplicative Lifeline support, as required by section 54.405(e)(2) of the FCC's rules.

CSH read the Carrier's policy and procedures for de-enrolling subscribers for non-usage (i.e., where a Lifeline subscriber fails to use Lifeline service for 60 consecutive days), including the process of how the Carrier monitors and identifies subscribers who are non-users of Lifeline service but enrolled in the program as well as non-usage termination notifications provided in response to Item 18 of Appendix A of the Lifeline Biennial Audit Plan. CSH read the policy and procedures and non-usage termination notifications to determine if the termination notifications explain that the subscriber has 30 days following the date of impending termination notification to use the Lifeline service. CSH identified any areas that are not in compliance with section 54.405(e)(3) of the FCC's rules.

CSH read the Carrier's policy and procedures for de-enrolling a Lifeline subscriber that does not respond to the Carrier's attempts to obtain recertification, as part of the annual eligibility recertification process as well as recertification requests provided in response to Item 19 of Appendix A of the Lifeline Biennial Audit Plan. CSH read the policy and procedures and recertification requests to determine if the communications explain that the subscriber has 30 days following the date of the notice to demonstrate continued eligibility or the Carrier will terminate the subscriber's Lifeline service. In addition, CSH read the recertification requests and the Carrier's responses to the background questionnaire and determined that the recertification requests were sent by a method separate from the subscriber's bill. CSH noted any areas that are not in compliance with section 54.405(e)(4) of the FCC's rules.

Results: No exceptions noted.

Objective II: Consumer Qualification for Lifeline:

Procedure 1

CSH inquired of management and obtained the Carrier's policies and procedures for limiting Lifeline support to a single subscription per household as provided by the Carrier in response to Item 4 of Appendix A of the Lifeline Biennial Audit Plan. CSH read and compared the Carrier's policies and procedures, including any management responses, with the FCC's Lifeline rules set for in 54.409(c) (Appendix F). CSH noted any discrepancies between the policies and procedures and the FCC's rule.

Results: No exceptions noted.

Procedure 2

CSH read procedures the Carrier has in place to ensure it has accurately completed the FCC Form 497. CSH determined if the procedures or process included the following:

- a. The position title of the person responsible for obtaining data for the FCC Form 497;
- b. The process for determining which subscribers should be included monthly in the FCC Form 497. Documented whether the procedures include cut-off or billing cycle dates, subscribers active as of the start or end of the month;
- c. That a corporate officer signature is required for the FCC Form 497;
- d. That a verification process exists to perform an independent review; that is, the person reviewing or validating the form's data is different from the person completing the form;
- e. Provides the billing system name used to generate completion of the form; and
- f. If applicable, describes the process for completing the Tribal Link Up portions of the FCC Form 497.

Results: No exceptions noted.

Procedure 3

CSH obtained the subscriber listing response to Item 1 of Appendix A of the Lifeline Biennial Audit Plan and obtained the Carrier's FCC Form 497s for Michigan, Kentucky and Ohio for October 2015. CSH compared the number of subscribers reported on the Form 497s to the number of subscribers contained on the subscriber list for each study area.

Results: No exceptions noted.

Procedure 4

CSH used computer-assisted audit techniques to identify, from the subscriber list, duplicate addresses with different subscribers.

Results: CSH created a list of subscribers with duplicate address for testing in Procedure #5.

Procedure 5

From the list created in Procedure #4, CSH randomly selected 30 subscribers from the list and requested copies from the Carrier of the one-per-household certification form for each of the selected subscribers using Appendix D of the Lifeline Biennial Audit Plan. CSH determined that the provided one-per-household documentation included the following requirements and the selected subscribers certified to only receiving one Lifeline-support service in his/her household:

- a. An explanation of the FCC's one-per-household rule;
- b. A check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households;
- c. A space for the applicant to certify that he or she shares an address with other adults who do not contribute income to the applicant's household and share in the household's expenses or benefit from the applicant's income, pursuant to the definition we adopt here today; and
- d. The penalty for a consumer's failure to make the required one-per-household certification (i.e. de-enrollment).

Results: No exceptions noted.

Objective III: Subscriber Eligibility Determination and Certification:

Procedure 1

CSH inquired of management and obtained the Carrier policies and procedures for ensuring that its Lifeline subscribers are eligible to receive Lifeline services as provided by the Carrier in response to Item 4 of Appendix A of the Lifeline Biennial Audit Plan. CSH read and compared the policies and procedures, including any management responses, with the FCC's Lifeline rules set for in section 54.410 (Appendix F).

CSH read the Carrier's policies and looked for evidence as to whether it includes a policy that the Carrier does not retain copies of subscribers' proof of income or program based eligibility.

CSH read the Carrier's policies and looked for evidence as to whether it includes a policy or procedure that the Carrier must fully verify the eligibility of each low-income consumer prior to providing Lifeline service to that consumer, and that the Carrier or its agents may not provide the consumer with an activated device intended to enable access to Lifeline service until that consumer's eligibility is fully verified and all other necessary enrollment steps have been completed.

Results: No exceptions noted.

Procedure 2

CSH read the Carrier's policies and procedures for training employees and agents for ensuring that the Carrier's Lifeline subscribers are eligible to receive Lifeline services, including any policies regarding how the company ensures employees and agents have completed the training.

CSH noted the following related to training:

The Carrier's Policies & Procedure Guidebook includes NLAD Information and Data Exchange training materials to ensure employees and agents are trained on the use and interaction with NLAD including limiting access to NLAD to individuals whose job responsibilities require NLAD access.

The Carrier's Policies & Procedure Guidebook includes specific training materials related to NLAD opt-out states to ensure employees and agents are trained on the use and interaction with state administrators and/or databases including limiting access to any databases to individuals whose job responsibilities require database access.

The Carrier conducts a comprehensive training program for all employees, agents and/or third parties acting on behalf of the company on the various processes and validation checkpoints designed to ensure only eligible consumers enroll in the Lifeline program. Updates to training materials are incorporated on an as-needed basis to reflect any changes or modifications to the Lifeline program rules, requirements or enrollment process. Training materials include: FeelSafe Wireless Lifeline Program Overview, CGM Enrollment Compliance Platform for Tablets and Web-Based devices, Real-Time-Review Queue Process, State Database Query Procedures, CGM Lifeline Best Practices, NLAD Information and Data Exchange, and FeelSafe Wireless Customer Service Training. All of these materials are included in the Carrier's Policies & Procedures Guidebook. In addition to these materials being provided to employees and third party agents, new employees receive hands on, on the job training and agents receive update webinars at least quarterly.

Results: No exceptions noted.

Procedure 3

CSH randomly selected 50 subscribers from the subscriber list and CSH performed the tests described below, for each of the subscriber's certification/recertification forms obtained using Appendix E of the Lifeline Biennial Audit Plan.

CSH read the subscriber certification and recertification forms, if any, to determine the forms contained the following information:

- a. Lifeline is a federal benefit and that willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program;
- b. Only one Lifeline service is available per household;
- c. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses;
- d. A household is not permitted to receive Lifeline benefits from multiple providers;
- e. Violation of the one-per-household limitation constitutes a violation of the FCC's rules and will result in the subscriber's de-enrollment from the program;
- f. Lifeline is a non-transferable benefit and the subscriber may not transfer his or her benefit to any other person;

- g. Require each prospective subscriber to provide the following information:
 - i. The subscriber's full name;
 - ii. The subscriber's full residential address;
 - iii. Whether the subscriber's residential address is permanent or temporary;
 - iv. The subscriber's billing address, if different from the subscriber's residential address;
 - v. The subscriber's date of birth;
 - vi. The last four digits of the subscriber's social security number, or the subscriber's Tribal identification number, if the subscriber is a member of a Tribal nation and does not have a social security number;
 - vii. If the subscriber is seeking to qualify for Lifeline under the program based criteria, as set forth in §54.409, the name of the qualifying assistance program from which the subscriber, his or her dependents, or his or her household receives benefits; and
 - viii. If the subscriber is seeking to qualify for Lifeline under the income based criterion, as set forth in § 54.409, the number of individuals in his or her household.
- h. Require each prospective subscriber to certify, under penalty of perjury, that:
 - i. The subscriber meets the income based or program based eligibility criteria for receiving Lifeline, provided in § 54.409;
 - ii. The subscriber will notify the Carrier within 30 days if for any reason he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the subscriber no longer meets the income based or program based criteria for receiving Lifeline service, the subscriber is receiving more than one Lifeline benefit, or another member of the subscriber's household is receiving a Lifeline benefit;
 - iii. If the subscriber is seeking to qualify for Lifeline as an eligible resident of Tribal lands, he or she lives on Tribal lands, as defined in 54.400(e);
 - iv. If the subscriber moves to a new address, he or she will provide that new address to the Carrier within 30 days;
 - v. The subscriber's household will receive only one Lifeline service and, to the best of his or her knowledge, the subscriber's household is not already receiving a Lifeline service;
 - vi. The information contained in the subscriber's certification form is true and correct to the best of his or her knowledge;
 - vii. The subscriber acknowledges that providing false or fraudulent information to receive Lifeline benefits is punishable by law; and
 - viii. The subscriber acknowledges that the subscriber may be required to recertify his or her continued eligibility for Lifeline at any time, and the subscriber's failure to recertify as to his or her continued eligibility will result in de-enrollment and the termination of the subscriber's Lifeline benefits pursuant to § 54.405(e)(4).
- i. CSH compared the Carrier's subscriber eligibility criteria on the certification and recertification forms to the federal eligibility criteria listed in 47 CFR § 54.409, as well as any additional state eligibility criteria identified in Item 4 of Appendix A of the Lifeline Biennial Audit Plan.
- j. CSH determined if the subscriber completed all the required elements, including signature and initialing/checkbox requirements contained in the certification and recertification forms.
- k. CSH read the subscriber's initial certification form to determine if the initial certification form is dated prior to or on the same day as the Lifeline start date per the subscriber list.

- l. If applicable, CSH determined if subscribers who received Tribal Lifeline support certified to residing on Tribal lands.
- m. CSH read the list of the data source or documentation the Carrier reviewed to confirm the subscriber's eligibility obtained using Appendix E of the Lifeline Biennial Audit Plan. CSH determined if the recorded data sources are eligible data sources per 47 CFR § 54.410, such as (1) income or program eligibility databases, (2) income or program eligibility documentation, or (3) confirmation from a state administrator.

Results: No exceptions noted.

Objective IV: Annual Certifications and Recordkeeping by Eligible Telecommunication Carriers:

Procedure 1

CSH inquired of management and obtained carrier policies and procedures for ensuring that the Carrier has made and submitted the annual certifications require under sections 54.416 and 54.422 of the FCC's rules, as provided by the Carrier in response to Items 4, 12 and 13 of Appendix A of the Lifeline Biennial Audit Plan. CSH examined and compared the Carrier policies and procedures, including any management responses, with the FCC's Lifeline rules set forth in sections 54.416 and 54.522.

Results: No exceptions noted.

Procedure 2

CSH read the Carrier's FCC Form 555 that was filed the January following the audit period (January 2016) provided by the Carrier in response to Item 12 of Appendix A of the Lifeline Biennial Audit Plan. CSH determined if the Carrier made all of the following certifications. An officer of each eligible telecommunications company must certify that he or she understands the FCC's Lifeline rules and requirements and that the Carrier:

- a. Has policies and procedures in place to ensure that its Lifeline subscribers are eligible to receive Lifeline services;
- b. Is in compliance with all federal Lifeline certification procedures; and
- c. In instances where the Carrier confirms consumer eligibility by relying on income or eligibility databases, as defined in 47 CFR § 54.410(f)(2)(i)-(ii) or by relying on a state Lifeline administrator, as defined in 47 CFR § 54.410(f)(3), the representative must attest annually as to what specific data sources the Carrier used to confirm eligibility.

Results: No exceptions noted.

Procedure 3

CSH read the Carrier's organizational chart provided by the Carrier in response to Item 5 of Appendix A of the Lifeline Biennial Audit Plan. CSH determined if the certifying officer on the FCC Form 555 is an officer per the organizational chart or other publicly available documents.

Results: No exceptions noted.

Procedure 4

CSH compared the subscriber count per the FCC Form 555 with the total subscriber count per the February Form 497 provided in response to Item 15 of Appendix A of the Lifeline Biennial Audit Plan.

Results: No exceptions noted.

Procedure 5

CSH compared the recertification data report on the FCC Form 555 with the detailed recertification results provided by the Carrier in response to Item 9 of Appendix A of the Lifeline Biennial Audit Plan.

Results: No exceptions noted.

Procedure 6

CSH compared the non-usage data reported on the FCC Form 555 for the selected month with the detailed non-usage results provided by the Carrier in response to Item 10 of Appendix A of the Lifeline Biennial Audit Plan.

Results: No exceptions noted.

Procedure 7

CSH read the Carrier's Form 481, as provided by the Carrier in response to Item 13 of Appendix A of the Lifeline Biennial Audit Plan. CSH determined if the Carrier reported all the information and made all the certifications required by 47 CFR § 54.422(a)(b).

Results: No exceptions noted.

Procedure 8

CSH read supporting schedules related to the Carrier's FCC Form 481, as provided by the Carrier in response to Items 16 and 17 of Appendix A of the Lifeline Biennial Audit Plan. CSH compared the data reported on the FCC Form 481 with the supporting schedules.

Results: No exceptions noted.

Procedure 9

CSH inquired of management and obtained the Carrier policies and procedures for maintaining records that document compliance with the Lifeline program rules, as provided by the Carrier in response to Item 4 of Appendix A of the Lifeline Biennial Audit Plan. CSH read and compared the policies and procedures, including any management responses, with recordkeeping rules set forth in 47 CFR § 54.417.

Results: No exceptions noted.

We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on the Carrier's compliance with the Rules. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the managements of the Carrier, USAC and the FCC, and is not intended to be and should not be used by anyone other than those specified parties. This report becomes a matter of public record when the final report is filed with the FCC. The final report is not confidential.

Clark, Schaefer, Hackett & Co.

Columbus, Ohio
May 19, 2017